



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,471	11/30/2000	Alan Young	CITI0207	3173
27510	7590	11/30/2005	EXAMINER	
KILPATRICK STOCKTON LLP 607 14TH STREET, N.W. WASHINGTON, DC 20005			JASMIN, LYNDIA C	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/728,471	<b>Applicant(s)</b> YOUNG ET AL.	
	<b>Examiner</b> Lynda Jasmin	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1, 4-7, 9, 10, 12, 14-16, 23, 25, 46 and 62-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, 9, 10, 12, 14-16, 23, 25, 46 and 62-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Amendment received September 8, 2005 has been acknowledged.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 4-7, 9, 10, 12, 14-16, 23, 25, 46 and 62-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton (2005/0027610), in view of Arunachalam (2003/006922).

Wharton discloses a method and system for data management of an electronic transaction with the steps of: receiving an order from an interface-enabled communications device via a wireless communication network coupled to the

Art Unit: 3627

transaction portal server (step 78-84), retrieving product information data from the product database of the merchant by the merchant server via the wireless communication network coupled to the transaction portal server (via vendor catalog), receiving payment option data comprising information describing a desired means of payment for the product by the merchant check-out application of the merchant server from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server (§ 0041), transmitting payment authorization data to a the payment processor by the transaction portal server (§ 0047; via verifying the merchant and customer identification information against that stored in the databases, and conducting payment verification functions via the payment proxy (and perhaps according to a runtime payment verification script obtained from the merchant database), receiving authorization from the payment processor (12) by the transaction portal server (32), and transmitting order information to a check-out application of the merchant server by the transaction portal server (§ 42-47).

Wharton further discloses displaying and selecting product code associated with the product (via entry items 44E that described the purchased items).

Wharton also discloses the product information comprises the price of the product, and name of the product, and the product code comprises a unique number assigned to the product (as illustrated in Figure 1, § 0033). Providing an order confirmation to the interface enabled communications device (§ 0046), and receiving customer identification information comprises receiving customer identification information from the interface-enabled communications device (§ 0047), and wherein

Art Unit: 3627

the interface enabled communications device comprises a web browser (such as the Internet; ¶ 0030). The interface-enabled communications device comprises a wireless telephone (¶ 0022), or at least one of the following: a personal computer (32).

The transaction portal server (32) is in communication with at least two merchant servers (34, 36, 38), and the desired means of payment for the product comprises a credit card (¶ 0041), and offering a product for purchase from a merchant comprises providing a hyperlink on the transaction portal server to a merchant server (¶ 0040).

Although Wharton discloses carrying out the order fulfillment so that the products get shipped to the right location, Wharton fails to explicitly disclose transmitting order information to a check out application of the merchant server by the transaction portal server, and causing the electronic wallet server to complete payment and shipping information fields in an order fulfillment database of the merchant server by the transaction portal server, and receiving by the transaction portal server order confirmation information from the merchant server and displaying the order confirmation information by the transaction portal server on the display screen of the wireless communication device for the customer .

Arunachalam discloses the concept of receiving in a transaction portal server (350) via a wireless communication switching facility coupled to the transaction portal server over a global network request entered by a customer on a wireless communication device (310) coupled to the wireless communication switching facility (see ¶ 51, 52). Arunachalam discloses the concept of having a default payment (via Visa node 1225) and further transmitting order information to a check out application

Art Unit: 3627

(such as hub 1210 by the transaction portal server, and causing the electronic wallet server to complete payment and shipping information fields in an order fulfillment database of the merchant server by the transaction portal server (see ¶ 0098-0099), and receiving by the transaction portal server order confirmation information from the merchant server and displaying the order confirmation information by the transaction portal server on the display screen of the wireless communication device for the customer (¶ 0100).

From this teaching of Arunachalam, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the unified checkout step of Wharton to include the delivery information and confirmation of the service transaction as taught by Arunachalam in order to facilitate online transaction processing.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1, 4-7, 9, 10, 12, 14-16, 23, 25, 46 and 62-69 have been considered but are moot in view of the new ground(s) of rejection.

Arunachalam discloses a service network processing 350 that is functionally interposed between a client access device 310 and multiple service providers and associated software that provides services to the client access device 310.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

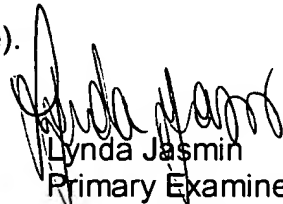
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (571) 272-6782. The examiner can normally be reached on Monday- Friday (9:30-6:00) with Thursday Telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lynda Jasmin  
Primary Examiner  
Art Unit 3627

lj